

House Energy and Commerce Committee Subcommittee on Innovation, Data, and Commerce
Legislative Hearing on “Proposals to Enhance Product Safety and Transparency for Americans”
Testimony on behalf of Congressman Bill Pascrell, Jr.
September 27, 2023

Chair Cathy McMorris Rodgers, Chair Gus Bilirakis, Ranking Member Frank Pallone, Jr. and Ranking Member Jan Schakowsky, I appreciate that the Subcommittee on Innovation, Data, and Commerce is holding today’s legislative hearing on H.R.3660, the Better Oversight of Stub Sales and Strengthening Well Informed and Fair Transactions for Audiences of Concert Ticketing Act (BOSS and SWIFT ACT). Thank you very much for the opportunity to submit testimony on behalf of H.R. 3660, a comprehensive, pro-consumer plan providing needed transparency and regulation for the badly corrupted live events ticket marketplace. I am especially grateful for Congressman Pallone’s support and partnership on H.R. 3660.

One of the great indignities American consumers face is buying a ticket to a live event like a concert or ballgame. Fans all know the frustration [All Too Well](#). Often, consumers are in line past [Midnights](#) trying to buy tickets, but end up being sold out. Sometimes you get sent to a shadowy website where nosebleed seats are over \$1,000.

When consumers can get seats, there is a small fortune added at the last second in phony-baloney fees that are a [Death by a Thousand Cuts](#). No consumer should have to auction a kidney to get a pair of concert tickets. We should not [tolerate it](#). Recent analysis shows that preserving ticket transferability has helped consumers beyond our [Wildest Dreams](#) by saving sports fans almost \$260 million.¹

Fans also know the frustratingly opaque ticketing process. It led to high prices and massive consumer issues for recent Bruce Springsteen and Taylor Swift tours. It was an especially [Cruel Summer](#) for Swifties looking for tickets and who became the latest victims. They are part of a long conga line of cases where fans are treated poorly. Consumers know the marketplace needs [Change](#). But we have known the ticketing marketplace has been unfair for years before the latest Taylor Swift tour fiasco. Live events make up a \$9 Billion market. The market impacts millions and millions who get ripped off, especially by Live Nation/Ticketmaster.

I have worked on this issue for almost [Fifteen](#) years. The market is criminally under-regulated. This industry is the Wild West: mammoth, opaque, and speculative. Swindling consumers is something I am proud to fight against and anyone who stands in my way means that we got [Bad Blood](#)! I have fought well funded and powerful opposition to the reforms that American consumers want and need. There are no rules and transparency. Ticket companies get rich, and the fans get poor. It is not a [Glitch](#).

This is a fight I have taken on with [Eyes Open](#). One company, Live Nation/Ticketmaster, controls everything: recording, licensing, venue ownership, ticketing and concessions down to the hot dog guy.

With today’s consideration of H.R. 3660, I have one message for Live Nation/Ticketmaster: [Look What You Made Me Do](#).

¹ https://www.sportsfans.org/ticket_transferability_helps_sports_fans_save_260_million_over_five_years

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The newer, tougher, stronger, *Fearless* version of the most consumer friendly ticketing reform legislation is the BOSS and SWIFT ACT. My plan creates fair rules and brings needed *Daylight*. No more hidden fees. No more *Labyrinth* of shady gimmicks. *this is me trying* to make a change in the ticketing marketplace. Specific requirements for the BOSS and SWIFT ACT include:

General Market Place Reforms

Requirements on the primary ticket seller, secondary ticket seller, and secondary ticket sales marketplace include:

- Mandatory all-in pricing to ensure the true ticket price is clearly displayed and does not change during the checkout process.
- Clear disclosures of refund policies and guarantees for consumers to have the choice of a full refund or a replacement ticket in a comparable or upgraded location if a ticket is not delivered.
- Disclosing to buyers whether a ticket is being offered as a primary sale or secondary sale.

Primary Market Place Reforms

- Transparency on the total number and cost of tickets that will be offered for sale to the general public.
- Preserving ticketing transferability so consumers are not restricted from reselling their tickets or facing a price ceiling or floor on ticket resales.
- Ensure fans cannot be sanctioned for reselling a ticket.

Secondary Market Place Reforms

- Clamping down on unauthorized speculative ticket sales.
- Protecting consumers who receive tickets that do not match the description of those purchased.
- Disclosing to purchasers when the secondary seller is the primary ticket seller, venue, team, or artist associated with the event.
- Prohibiting unauthorized insiders from selling tickets at marked up prices
- Restricting resellers from selling the same seat to more than one person at the same time.

Our bill is endorsed by major consumer protection groups including the Consumer Action, Consumer Federation of America, Fan Freedom, National Association of Consumer Advocates, National Consumers League, Protect Ticket Rights, Public Knowledge, Sports Fans Coalition, Consumer Federation of California, Virginia Citizens Consumer Council, and Consumer Protection.²

Congressman Pallone and I first offered our legislation back in 2009 when Garden State fans flooded congressional offices with complaints after they tried to buy Bruce Springsteen tour tickets and were surreptitiously directed to secondary sites with inflated prices. I am pleased that the Committee is considering our updated and pro-consumer BOSS and SWIFT ACT. It is gaining traction, but we are not *Out of the Woods* yet.

² <https://pascrell.house.gov/news/documentsingle.aspx?DocumentID=5369>

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'tis the damn season for Congress to look out for fans. Because *It's Nice To Have A Friend*. Consumers have one in me. I will keep fighting for pro-consumer reform to the ticketing marketplace and for passage of the BOSS and SWIFT ACT. Passing an already anemic ticketing bill is a massive missed opportunity to fix the corrupt and broken ticket market.

long story short, Americans have a right not to be ripped off. Reining in a ticket industry run amok will not go out of *Style*. It is time. Are you *...Ready for It?*

A handwritten signature in blue ink that reads "Bill Pascrell Jr." in a cursive script.

Congressman Bill Pascrell, Jr.
Member of Congress